

Introduced 3/6/17
 Public Hearing 3/20/17
 Council Action 4/3/17 (4/14/17)
 Executive Action _____
 Effective Date 6/14/17

County Council Of Howard County, Maryland

2017 Legislative Session

Legislative Day No. 5

Bill No. 22-2017 (ZRA 175)

Introduced by: The Chairperson at the request of the County Executive

~~AN ACT exempting farms in the Rural Conservation Zoning District and farms 20 acres or larger in the Rural Residential Zoning District from Animal Shelter and Riding Academy and Stable setback requirements from dwellings on future new residential lots; and generally relating to the Howard County Zoning Regulations. AN ACT amending certain setback provisions for Animal Shelters; requiring those structures to comply with the accessory structure setback requirements for the applicable zoning district; and generally relating to Animal Shelters.~~

Introduced and read first time March 6, 2017. Ordered posted and hearing scheduled.
 By order Jessica Feldmark
 Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on March 20, 2017.

By order Jessica Feldmark
 Jessica Feldmark, Administrator

This Bill was read the third time on April 3, 2017 and Passed , Passed with amendments ✓, Failed .

By order Jessica Feldmark
 Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 4th day of April, 2017 at 12 a.m./p.m.

By order Jessica Feldmark
 Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive _____, 2017

 Allan H. Kittleman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland, that the
2 Howard County Zoning Regulations are amended as follows:

3
4 1. By amending Section 128.0.A.4 of the Howard County Zoning Regulations.

5
6 ~~2. By amending Section 128.0.I.8 of the Howard County Zoning Regulations.~~

7
8 **Howard County Zoning Regulations.**

9 **Section 128.0. Supplementary Zoning District Regulations.**

10
11 **A. Supplementary Bulk Regulations**

12 The following supplementary regulations shall apply in addition to the requirements
13 of the applicable zoning districts.

14 4. Animal Shelter Setback Requirements

15 A. Structures used for the housing, boarding, or sheltering of animals, including
16 but not limited to barns, buildings, hutches, sheds, roofed structures, and
17 prefabricated moveable animal houses, and any areas used for the storage of
18 animal excrement, shall comply with the accessory structure setback
19 requirement for the applicable zoning district.

20 B. In ~~[[addition]]~~ ADDITION, animal shelters measuring larger than 500 square feet
21 in size shall be located a minimum of 200 feet from any existing dwelling on a
22 different lot and animal shelters 500 square feet or smaller shall be located a
23 minimum 100 feet from any existing dwelling on a different lot. ~~[[The~~
24 ~~following are exempted from this requirement:]]~~

25 EXEMPTIONS:

26 ~~[[a]]~~1. Shelters used for household pets.

27 ~~[[b]]~~2. Shelters used for residential chicken keeping which comply with the
28 requirements for such structures as provided in Section 128.0.D.

29 ~~[[c]]~~3. Apiaries which comply with the requirements as provided in Section
30 128.0.N.

31 ~~[[d]]~~4. Structures as defined in Section 103.0.

1 5. ~~ANIMAL SHELTERS ON FARMS IN THE RC DISTRICT OR ON FARMS 20 ACRES~~
2 ~~OR LARGER IN THE RR DISTRICT SHALL NOT BE REQUIRED A SETBACK FROM~~
3 ~~A DWELLING ON A LOT RECORDED AFTER THE EFFECTIVE DATE OF COUNCIL~~
4 ~~BILL NO. ____ 2017 (ZRA 175).~~

6 **I. ~~Permits for Special Farm Uses~~**

7 8. ~~Riding Academies and Stables~~

8 ~~Riding Academies and Stables are permitted as an accessory use to farming in the~~
9 ~~RC and RR Districts, provided that:~~

10 a. ~~Adequate areas for horseback riding shall be available on the site. If the~~
11 ~~operation will include off site horseback riding, the petition must indicate the~~
12 ~~location of off site trails and include written permission from the property~~
13 ~~owners.~~

14 b. ~~Minimum required setbacks:~~

15 (1) ~~For an indoor or outdoor riding arena from an existing dwelling on a~~
16 ~~different lot100 feet~~

17 ~~———— (2) For a stable from an existing dwelling on a different lot200 feet~~

18 ~~PROVIDED, HOWEVER, RIDING ACADEMIES AND STABLES ON FARMS IN THE~~
19 ~~RC DISTRICT OR ON FARMS 20 ACRES OR LARGER IN THE RR DISTRICT~~
20 ~~SHALL NOT BE REQUIRED A SETBACK FROM A DWELLING ON A LOT~~
21 ~~RECORDED AFTER THE EFFECTIVE DATE OF COUNCIL BILL NO. ____ 2017~~
22 ~~(ZRA 175).~~

23 ~~———— The Department of Planning and Zoning may reduce the 200 foot setback~~
24 ~~from an existing dwelling on a different lot to a distance no less than 100~~
25 ~~feet upon a finding that the setback reduction will not adversely affect~~
26 ~~neighboring properties due to visual impact, noise, dust, odors or other~~
27 ~~causes.~~

28 c. ~~The site has a minimum area of five acres.~~

29 d. ~~Parking areas, driveways and outdoor riding areas will be located and~~
30 ~~designed to shield neighboring properties from noise, dust and odors.~~

1 5. ANIMAL SHELTERS ON FARMS IN THE RC AND RR DISTRICTS SHALL NOT BE
2 REQUIRED A SETBACK FROM A DWELLING ON A DIFFERENT LOT.

3
4 *Section 2. And Be It Further Enacted by the County Council of Howard County,*
5 *Maryland, that this Act shall become effective 61 days after its enactment.*

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on _____, 2017.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2017.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on April 14, 2017.



Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2017.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2017.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2017.

Jessica Feldmark, Administrator to the County Council

Amendment 1 to Council Bill 22-2017

BY: Mary Kay Sigaty
Calvin Ball

Legislative Day No: 6
Date: April 3, 2017

Amendment No. 1

1 (This amendment would require all animal shelters on farms to comply with the accessory
2 structure setbacks for the applicable zoning district and remove any proposed changes to riding
3 academies and stables).
4
5
6

7 On the title page, strike the title, in its entirety, and substitute the following:

8 “AN ACT amending certain setback provisions for Animal Shelters; requiring
9 those structures to comply with the accessory structure setback requirements for
10 the applicable zoning district; and generally relating to Animal Shelters.”.

11
12 On page 1, strike line 6, in its entirety.

13
14 Strike page 2, in its entirety, and substitute the following:

15 “5. ANIMAL SHELTERS ON FARMS IN THE RC AND RR DISTRICTS SHALL NOT BE REQUIRED A
16 SETBACK FROM A DWELLING ON A DIFFERENT LOT.”
17
18
19
20
21
22
23

ADOPTED

4/3/17

FAILED

SIGNATURE

Jessica Feldmark

Amendment 2 to Council Bill No. 22- 2017

BY: The Chairperson at the
request of the County Executive

Legislative Day No. 6
Date: April 3, 2017

Amendment No. 2

(This amendment inserts the bill number in two instances.)

- 1 Strike the underline and substitute "22" in the following instances:
- 2 1. On page 2, in line 4; and
- 3 2. On page 2, in line 21.

ADOPTED _____
FAILED not introduced
SIGNATURE Jessica Feldman